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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/577,078	05/23/2000	Toshihiro Shima	04783.012001	4163

22511 7590 06/16/2006

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EXAMINER
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SCHLACK, SCOTT A

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/577,078	<b>Applicant(s)</b> SHIMA, TOSHIHIRO	
	<b>Examiner</b> Scott Schlack	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-4, 6-10, 13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13 and 14 is/are allowed.
- 6) ☒ Claim(s) 2-4 and 6-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>05/05/06, 08/19/02</u> | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Applicant's amendment was received on 03/13/2006, and has been entered and made of record. Currently, claims 2-4, 6-10 and 13-14 are pending.
2. The examiner notes that claims 2, 4 and 6-10 have been amended and new claims 13-14 have been added.
3. With regard to claims 2-4 and 6-10: The applicant's amendment warrants the withdrawal the 35 U.S.C. §112, first paragraph rejections pertaining to these claims.

### ***Allowable Subject Matter***

4. Claims 13 and 14 are allowed. The following is an examiner's statement of indicating allowable subject matter:
5. With respect to claim 13, the examiner notes the closest art to the Applicant's invention are Gase et al. (US 6,184,996) and Jeyachandran et al. (US 6,567,176). Gase et al. discloses a client computer submitting a print request to a first printer, specifying a peripheral device on which data to print is stored; and a first printer configured to request data to print from the peripheral device, and the first printer printing the data upon receipt from the peripheral device (col 3, lines 16-36). Additionally, Jeyachandran et al. discloses a first printer which automatically reroutes a printing job to a second printer when is not able to process the job, wherein the first printer notifies the client computer of the rerouting (Fig 15, Fig 16A, col 19, lines 58-67, col 20, lines 1-67 and col 21, lines 1-15). Gase et al. however, does not disclose a system comprising: a first printer configured to provide a print acceptance screen to a client computer; the client computer configured to send a

new print request to a second printer using the print acceptance screen provided by the first printer

6. With respect to NEW claim 14, Gase et al. (US 6,184,996) and Jeyachandran et al. (US 6,567,176). Gase et al. discloses a client computer submitting a print request to a first printer, specifying a peripheral device on which data to print is stored; and a first printer configured to request data to print from the peripheral device, and the first printer printing the data upon receipt from the peripheral device (col 3, lines 16-36). Additionally, Jeyachandran et al. discloses a first printer which automatically reroutes a printing job to a second printer when is not able to process the job, wherein the first printer notifies the client computer of the rerouting (Fig 15, Fig 16A, col 19, lines 58-67, col 20, lines 1-67 and col 21, lines 1-15). Gase et al. however, does not disclose a system comprising: a first printer configured to provide a print acceptance screen to a client computer; the client computer configured to send a new print request to a peripheral device using the print acceptance screen provided by the first printer, wherein the new print request specifies a peripheral device on which data to print is stored; and the second printer to print the data.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

7. Applicant's arguments filed 03/13/2006 have been fully considered but they are not persuasive.

Specifically, the applicant argues that: *Gase clearly fails to disclose creating a print request by a client computer where the data to be printed is located on a remote device (i.e. on a peripheral device). Thus it is clear that Gase fails to anticipate independent claims 2, 4 and 6-10 of the present inventions.*

**Examiners Response:** The examiner notes the Browser Procedure, disclosed by Gase (col 3, lines 16-36). In this procedure, the client processor (computer) submits a print request URL to the printer (as the print job is said to be designated by the URL). The URL request is then listed in the printer's print queue. Further it is noted that the URL may designate a print job residing on a client, which is not the originating client (i.e. **a peripheral device**). When the URL is reached on the queue, the printer causes the browser to transmit a request to the client processor where the URL is located (potentially a peripheral client as stated above). The client then responds to the request by transmitting the print job to the printer (col 3, lines 16-36).

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by

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the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 2-4 and 6-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Gase et al. (US 6,184,996).

13. See Non-Final office action dated 12/12/2005, by Primary Examiner Mark E. Wallerson.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Schlack whose telephone number is 571-272-7954. The examiner can normally be reached on 9-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**Note to the applicant:** Art Unit 2624 has been redesignated as Art Unit 2625 due to organizational restructuring with the USPTO.



Scott A. Schlack



KING Y. POON  
PRIMARY EXAMINER